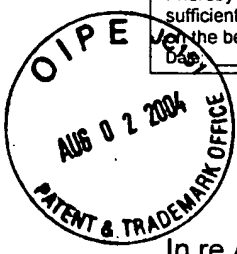


IFW



**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date: 8/30/04

Date: 8/30/04 Name: Andrew D. Stover, Reg. No. 38,629 Signature: [Signature]

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: **BURKE et al.**

Appln. No.: **10/798,237**

Filed: **March 11, 2004**

For: **VEHICLE WITH SWITCHED  
SUPPLEMENTAL ENERGY STORAGE  
SYSTEM FOR ENGINE CRANKING**

Attorney Docket No: **70-83**

Examiner: Unassigned

Art Unit: 3747

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Information Disclosure Statement (in duplicate).
- ☒ Form PTO 1449.
- ☒ Copies of 18 cited references.
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+ \$145=			+ \$290=	
					Total	\$		Total	\$

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_ . A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).

- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

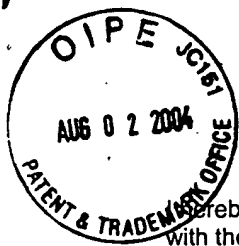
Date

7/30/04

Respectfully submitted,



Andrew D. Stover (Reg. No. 38,629)



# CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

7/30/04  
Date of Deposit

Andrew D. Stover, Reg. No. 38,629  
Name of Applicant, Assignee or  
Registered Representative

ADST  
Signature

7/30/04  
Date of Signature

Our Case No.: 70-83

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BURKE et al.

Serial No.: 10/798,237

Filing Date: March 11, 2004

For: VEHICLE WITH SWITCHED  
SUPPLEMENTAL ENERGY  
STORAGE SYSTEM FOR ENGINE  
CRANKING

Examiner: Unassigned

Group Art Unit No.: 3747

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Alexandria, VA 22313-1450


Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and

made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are

enclosed for the convenience of the Examiner.

The references now cited are the following:



U.S. PATENT NO.	ISSUE DATE	PATENTEE
2,659,042	11/1953	ANDERSON
3,638,108	01/1972	CHANNING
3,942,027	03/1976	FIMA
4,161,682	07/1979	CORVETT
4,488,147	12/1984	SIGNORILE
4,492,912	01/1985	NOWAKOWSKI
4,494,162	01/1985	EYLER
4,510,431	04/1985	WINKLER
4,540,929	08/1985	BINKLEY
4,727,306	02/1988	MISAK ET AL.
4,857,820	08/1989	TOMPKINS ET AL.
4,902,955	02/1990	MANIS ET AL.
5,039,930	08/1991	COLLIER ET AL.
5,077,513	12/1991	DEA ET AL.
5,146,095	09/1992	TSUCHIYA ET AL.
5,157,267	10/1992	SHIRATA ET AL.
5,155,373	10/1992	TSUCHIYA ET AL.
H1172	04/1993	GORNIAC
5,207,194	05/1993	CLERICI, GUIDO
5,260,637	11/1993	PIZZI
5,321,389	06/1994	MIESTER
5,371,455	12/1994	CHEN
5,563,454	10/1996	ARAKI ET AL.
5,589,292	12/1996	ROZON
5,637,978	06/1997	KELLET ET AL.
5,642,696	07/1997	MATSUI
5,783,872	07/1998	BLAIR
5,793,185	08/1998	PRELEC ET AL.
5,818,115	10/1998	NAGAO, YASUHIRO
5,925,938	07/1999	TAMOR
5,963,417	10/1999	ANDERSON ET AL.
5,998,961	12/1999	BROWN
6,018,199	01/2000	SHIROYAMA ET AL.
6,034,492	03/2000	SAITO ET AL.
6,057,667	05/2000	MILLS
6,075,331	06/2000	ANDO ET AL.
6,130,519	10/2000	WHITING ET AL.

U.S. PATENT NO.	ISSUE DATE	PATENTEE
6,133,645	10/2000	SCRIBNER ET AL.
6,160,373	12/2000	DUNN ET AL.
6,163,088	12/2000	CODINA ET AL.
6,211,577 B1	04/2001	ALKSNAT ET AL.
6,212,054 B1	04/2001	CHAN
6,222,342 B1	04/2001	EGGERT ET AL.
6,242,887	06/2001	BURKE
6,265,851 B1	07/2001	BRIEN ET AL.
6,325,035 B1	12/2001	CODINA ET AL.
6,362,595	03/2002	BURKE
6,426,606 B1	07/2002	PURKEY
US 2003/0075134 A1	04/2003	BURKE
6,679,212	04/2004	KELLING

#### FOREIGN PATENT DOCUMENTS

JP-2-175351	07/1990	JAPAN
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#### OTHER ART

Charge All Wheel Type Battery Chargers (Model 13-012 Boost All, Good All Mfg. 1999).
The Intra Switch, Intra USA, 1998.
Battery Optimizer, Purkey's Fleet Electric Inc., 1999.
Low Voltage Disconnects Switches and Alarms, Sure Power Industries Inc., 1998.
U.S. Patent Application No. 09/802,284, filed March 8, 2001, entitled "Vehicle with Switched Supplemental Energy System for Engine Cranking."
Copy of U.S. Provisional Application No. 60/292,791, filed May 22, 2001, entitled "Vehicle with Switched Energy Storage System for Engine Cranking."
Copy of U.S. Patent Application No. 09/652,686, filed August 31, 2000, entitled "Vehicle with Supplemental Energy Storage System for Engine Cranking."
Copy of U.S. Patent Application S/N 10/085,427 filed February 28, 2002, Inventors: Burke and Solberg.
Copy of U.S. Patent Application S/N 09/838,005 filed April 18, 2001, Inventor: James O. Burke.
Copy of U.S. Patent Application S/N 10/764,990 filed January 26, 2004, Inventor: James O. Burke.
Miller et al., SAE Technical Paper Series 982794 entitled "Truck Starting Using Electrochemical Capacitors," copyrighted 1998, pp. 1-7.
Miller, John R., "Engineering Battery Capacitor Combinations in High Power Applications: Diesel Engine Starting," presented at "The 9th International Seminar on Double Layer Capacitors and Similar Energy Storage Devices," Deerfield Beach, Florida, pp. 1-11, December 6-8, 1999.

KBi KAPower "Installation-Operation Manual," KBi/Kold-Ban International, Ltd., KBi Form #131137 Rev. 06/00, pp. 1-11, 2000.
KBi, "KBi Kranking Kap Super Capacitors," KBi Publication, 2000, 2 pages.
"KAPower Super Capacitors," Kold-Ban International, Ltd., brochures, 2000, 2 pages.
KBi, "KrankingKart Professional Jump-Start Unit," obtained at the internet address: <a href="http://www.koldban.com/mainpages/karts.htm">http://www.koldban.com/mainpages/karts.htm</a> , August 30, 2001, 3 pages.
Capacitor Log, dated May 15, 2000, pp. 1-4.

The Capacitor Log reference lists various capacitors that were shipped to various users. At least some of the capacitors were thereafter installed in vehicles by personnel from Kold Ban Intl. Ltd., the Assignee of the present application. The users were not charged for the capacitors, but rather were provided the capacitors for experimental use in various vehicles. It is believed that at least some of the capacitors were installed in accordance with instructions as set forth in reference C39. Various capacitors also were shipped to Goodal Mfg. in April, 1999 for evaluation, rather than for installation into a vehicle. Goodal was not charged for the capacitors.

Pursuant to the undersigned attorney's obligation and duties under C.F.R. §§ 1.56 and 1.98(a)(3), an English language translation of Japanese reference JP 2-175351 is provided for the express purpose of providing a concise explanation of that reference to the Examiner and the USPTO with opportunity to evaluate the same.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in

connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Stover', is written over a horizontal line.

Andrew D. Stover  
Registration No. 38,629  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
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Chicago, IL 60610  
(312) 321-4200



FORM PTO 1449	SERIAL NO. 10/798,237	CASE NO. 70/83
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE March 11, 2004	GROUP ART UNIT 3747
(use several sheets if necessary)		APPLICANT(S): BURKE et al.

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>NUMBER-KIND CODE (IF KNOWN)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	2,659,042	11/1953	ANDERSON		
	A2	3,638,108	01/1972	CHANNING		
	A3	3,942,027	03/1976	FIMA		
	A4	4,161,682	07/1979	CORVETT		
	A5	4,488,147	12/1984	SIGNORILE		
	A6	4,492,912	01/1985	NOWAKOWSKI		
	A7	4,494,162	01/1985	EYLER		
	A8	4,510,431	04/1985	WINKLER		
	A9	4,540,929	08/1985	BINKLEY		
	A10	4,727,306	02/1988	MISAK ET AL.		
	A11	4,857,820	08/1989	TOMPKINS ET AL.		
	A12	4,902,955	02/1990	MANIS ET AL.		
	A13	5,039,930	08/1991	COLLIER ET AL.		
	A14	5,077,513	12/1991	DEA ET AL.		
	A15	5,146,095	09/1992	TSUCHIYA ET AL.		
	A16	5,157,267	10/1992	SHIRATA ET AL.		
	A17	5,155,373	10/1992	TSUCHIYA ET AL.		
	A18	H1172	04/1993	GORNIK		
	A19	5,207,194	05/1993	CLERICI, GUIDO		
	A20	5,260,637	11/1993	PIZZI		
	A21	5,321,389	06/1994	MIESTER		
	A22	5,371,455	12/1994	CHEN		
	A23	5,563,454	10/1996	ARAKI ET AL.		
	A24	5,589,292	12/1996	ROZON		
	A25	5,637,978	06/1997	KELLET ET AL.		
	A26	5,642,696	07/1997	MATSUI		
	A27	5,783,872	07/1998	BLAIR		
	A28	5,793,185	08/1998	PRELEC ET AL.		
	A29	5,818,115	10/1998	NAGAO, YASUHIRO		
	A30	5,925,938	07/1999	TAMOR		
	A31	5,963,417	10/1999	ANDERSON ET AL.		
	A32	5,998,961	12/1999	BROWN		
	A33	6,018,199	01/2000	SHIROYAMA ET AL.		
	A34	6,034,492	03/2000	SAITO ET AL.		
	A35	6,057,667	05/2000	MILLS		
	A36	6,075,331	06/2000	ANDO ET AL.		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM PTO-1449	SERIAL NO. 10/798,237	CASE NO. 70-83
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE March 11, 2004	GROUP ART UNIT 3747
(use several sheets if necessary)		APPLICANT(S): BURKE et al.

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>NUMBER-KIND CODE (IF KNOWN)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A37	6,130,519	10/2000	WHITING ET AL.		
	A38	6,133,645	10/2000	SCRIBNER ET AL.		
	A39	6,160,373	12/2000	DUNN ET AL.		
	A40	6,163,088	12/2000	CODINA ET AL.		
	A41	6,211,577 B1	04/2001	ALKSNAT ET AL.		
	A42	6,212,054 B1	04/2001	CHAN		
	A43	6,222,342 B1	04/2001	EGGERT ET AL.		
	A44	6,242,887	06/2001	BURKE		
	A45	6,265,851 B1	07/2001	BRIEN ET AL.		
	A46	6,325,035 B1	12/2001	CODINA ET AL.		
	A47	6,362,595	03/2002	BURKE		
	A48	6,426,606 B1	07/2002	PURKEY		
	A49	US 2003/0075134 A1	04/2003	BURKE		
	A50	6,679,212	04/2004	KELLING		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (If known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A51	JP-2-175351	07/1990	JAPAN		X

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	A52	Charge All Wheel Type Battery Chargers (Model 13-012 Boost All, Good All Mfg. 1999).
	A53	The Intra Switch, Intra USA 1998.
	A54	Battery Optimizer, Purkey's Fleet Electric Inc. 1999.
	A55	Low Voltage Disconnects Switches and Alarms, Sure Power Industries Inc. 1998.
	A56	Copy of U.S. Patent Application No. 09/802,284, filed March 8, 2001, entitled "Vehicle with Switched Supplemental Energy System for Engine Cranking."
	A57	Copy of U.S. Provisional Application No. 60/292,791, filed May 22, 2001, entitled "Vehicle with Switched Energy Storage System for Engine Cranking."
	A58	Copy of U.S. Patent Application No. 09/652,686, filed August 31, 2000, entitled "Vehicle with Supplemental Energy Storage System for Engine Cranking."
	A59	Copy of U.S. Patent Application S/N 10/085,427 filed February 28, 2002, Inventors: Burke and Solberg.

EXAMINER	DATE CONSIDERED
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FORM PTO-1449	SERIAL NO. 10/798,237	CASE NO. 70-83
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(use several sheets if necessary)		APPLICANT(S): BURKE et al.

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	A60	Copy of U.S. Patent Application S/N 09/838,005 filed April 18, 2001, Inventor: James O. Burke.
	A61	Copy of U.S. Patent Application S/N 10/764,990 filed January 26, 2004, Inventor: James O. Burke.
	A62	Miller et al., SAE Technical Paper Series 982794 entitled "Truck Starting Using Electrochemical Capacitors," copyrighted 1998, pp. 1-7.
	A63	Miller, John R., "Engineering Battery Capacitor Combinations in High Power Applications: Diesel Engine Starting," presented at "The 9th International Seminar on Double Layer Capacitors and Similar Energy Storage Devices," Deerfield Beach, Florida, pp. 1-11, December 6-8, 1999.
	A64	KBi KAPower "Installation-Operation Manual," KBi/Kold-Ban International, Ltd., KBi Form #131137 Rev. 06/00, 2000, pp. 1-11.
	A65	KBi, "KBi Kranking Kap Super Capacitors," KBi Publication, 2000, 2 pages.
	A66	"KAPower Super Capacitors," Kold-Ban International, Ltd., brochures, 2000, 2 pages.
	A67	KBi, "KrankingKart Professional Jump-Start Unit," obtained at the internet address: <a href="http://www.koldban.com/mainpages/karts.htm">http://www.koldban.com/mainpages/karts.htm</a> , August 30, 2001, 3 pages.
	A68	Capacitor Log, dated May 15, 2000, pp. 1-4.

EXAMINER	DATE CONSIDERED
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